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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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10/737,060

12/16/2003

Thomas J. Dinger

LOT920030029US1 (014)

5227

46321

7590

12/11/2008

CAREY, RODRIGUEZ, GREENBERG & PAUL, LLP

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SUITE 3020

BOCA RATON, FL 33487

EXAMINER

HU, KANG

ART UNIT

PAPER NUMBER

3715

MAIL DATE

DELIVERY MODE

12/11/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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| APPLICATION NO./ CONTROL NO. | FILING DATE | FIRST NAMED INVENTOR / PATENT IN REEXAMINATION | ATTORNEY DOCKET NO. |
|---------------------------------|-------------|---|-----------------------|
| 10737060 | 12/16/2003 | DINGER ET AL. | LOT920030029US1 (014) |

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EXAMINER

KANG HU

ART UNIT**PAPER**

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20081208

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Commissioner for Patents

This supplemental office action is to correct the deficiencies of reasons for re-opening prosecution after filing appeal brief for non-final action sent 8/6/2008. The grounds of rejection are identical to non-final action sent 8/6/2008 and period for reply continues to run from mail date of the non-final action.

In view of the supplemental appeal filed on 5/27/2008, PROSECUTION IS REOPENED. A new ground of rejection was set forth in the Office action mailed on 8/6/2008.

To avoid abandonment of the application, appellant must exercise one of the following two options:

- (1) file a reply under 37 CFR 1.111 (if the Office action is non-final) or a reply under 37 CFR 1.113 (if the Office action is final); or,
- (2) initiate a new appeal by filing a notice of appeal under 37 CFR 41.31 followed by an appeal brief under 37 CFR 41.37. The previously paid notice of appeal fee and appeal brief fee can be applied to the new appeal. If, however, the appeal fees set forth in 37 CFR 41.20 have been increased since they were previously paid, then appellant must pay the difference between the increased fees and the amount previously paid.

A Supervisory Patent Examiner (SPE) has approved of reopening prosecution by signing below:

/XUAN M. THAI/

Supervisory Patent Examiner, Art Unit 3715.

